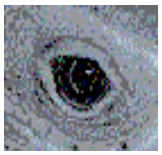

Melissa Kaplan's

Chronic Neuroimmune Diseases

Information on CFS, FM, MCS, Lyme Disease, Thyroid, and more...

Last updated May 23, 2015

State Codes Related To Wearing Masks

Compiled by Melissa Kaplan

Need to wear an air filtration mask when you go out to avoid the effects of fragrances, chemicals, pollens and more?

You may be breaking the law.

Each state has its own code relating to masks (though some states may have no such code) and/or disguises. In some, you may be okay wearing a filtration or surgical mask; in others, you may be required to carry a note from your physician stating that you need to wear the mask for health reasons.

If you find the code section for your state and send me a copy of the section and language, I will add it to this listing.

States in bold text have code appearing on this page:

AL	AK	AZ	AR	**CA**	CO	CT	**DC**	DE	**FL**
GA	HI	IA	ID	IL	IN	KS	KY	LA	**MA**
MD	ME	**MI**	MN	MO	MS	MT	**NC**	ND	NE
NH	NJ	NM	NV	**NY**	**OH**	OK	OR	PA	RI
SC	SD	TN	TX	UT	**VA**	VT	WA	WI	**WV**
WY									

If you find the code for your state, please send the text to me I will get it added to the listing. You can check for your state codes through your state's website (http://www.state.xx.us where xx = your state's two letter abbreviation), in the public library (contact the reference librarian to see which branch has the code books), or local law library (generally in the courthouse and open to the public).

ALABAMA

ALASKA

ARIZONA

ARKANSAS

CALIFORNIA Penal Code Section 182-185
185. Section One Hundred and Eighty-five. It shall be unlawful for any person to wear any mask, false whiskers, or any personal disguise (whether complete or partial) for the purpose of: One--Evading or escaping discovery, recognition, or identification in the commission of any public offense. Two--Concealment, flight, or escape, when charged with, arrested for, or convicted of, any public offense. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor.

COLORADO

CONNECTICUT

DELAWARE

DISTRICT OF COLUMBIA (Washington, D.C.)
§ 22-3312.03. Wearing hoods or masks.
(a) No person or persons over 16 years of age, while wearing any mask, hood, or device whereby any portion of the face is hidden, concealed, or covered as to conceal the identity of the wearer, shall:

(1) Enter upon, be, or appear upon any lane, walk, alley, street, road highway, or other public way in the District of Columbia;

(2) Enter upon, be, or appear upon or within the public property of the District of Columbia; or

(3) Hold any manner of meeting or demonstration.

(b) The provisions of subsection (a) of this section apply only if the person was wearing the hood, mask, or other device:

(1) With the intent to deprive any person or class of persons of equal protection of the law or of equal privileges and immunities under the law, or for the purpose of preventing or hindering the constituted authorities of the United States or the District of Columbia from giving or securing for all persons within the District of Columbia equal protection of the law;

(2) With the intent, by force or threat of force, to injure, intimidate, or interfere with any person because of his or her exercise of any right secured by federal or District of Columbia laws, or to intimidate any person or any class of persons from exercising any right secured by federal or District of Columbia laws;

(3) With the intent to intimidate, threaten, abuse, or harass any other person;

(4) With the intent to cause another person to fear for his or her personal safety, or, where it is probable that reasonable persons will be put in fear for their personal safety by the defendant's actions, with reckless disregard for that probability; or

(5) While engaged in conduct prohibited by civil or criminal law, with the intent of avoiding identification.

FLORIDA Chapter 876 Criminal Anarchy, Treason and other Crimes Against Public Order

876.13 Wearing mask, hood, or other device on public property.--No person or persons shall in this state, while wearing any mask, hood, or device whereby any portion of the face is so hidden, concealed, or covered as to conceal the identity of the wearer, enter upon, or be, or appear upon or within the public property of any municipality or county of the state.

876.155 Applicability; ss. 876.12-876.15.--The provisions of ss. 876.12-876.15 apply only if the person was wearing the mask, hood, or other device:

(1) With the intent to deprive any person or class of persons of the equal protection of the laws or of equal privileges and immunities under the laws

or for the purpose of preventing the constituted authorities of this state or any subdivision thereof from, or hindering them in, giving or securing to all persons within this state the equal protection of the laws;

(2) With the intent, by force or threat of force, to injure, intimidate, or interfere with any person because of the person's exercise of any right secured by federal, state, or local law or to intimidate such person or any other person or any class of persons from exercising any right secured by federal, state, or local law;

(3) With the intent to intimidate, threaten, abuse, or harass any other person; or

(4) While she or he was engaged in conduct that could reasonably lead to the institution of a civil or criminal proceeding against her or him, with the intent of avoiding identification in such a proceeding.

GEORGIA Code Title 16 - Crimes and Offenses,16-11-38.
(a) A person is guilty of a misdemeanor when he wears a mask, hood, or device by which any portion of the face is so hidden, concealed, or covered as to conceal the identity of the wearer and is upon any public way or public property or upon the private property of another without the written permission of the owner or occupier of the property to do so.

(b) This Code section shall not apply to: (1) A person wearing a traditional holiday costume on the occasion of the holiday; (2) A person lawfully engaged in trade and employment or in a sporting activity where a mask is worn for the purpose of ensuring the physical safety of the wearer, or because of the nature of the occupation, trade, or profession, or sporting activity; (3) A person using a mask in a theatrical production including use in Mardi gras celebrations and masquerade balls; or (4) A person wearing a gas mask prescribed in emergency management drills and exercises or emergencies.

HAWAII

IDAHO

ILLINOIS

INDIANA

IOWA

KANSAS

KENTUCKY

LOUISIANA

Louisiana RS 14:313

§313. Masks or hoods, wearing in public places prohibited; penalty; exceptions; permit to conduct Mardi Gras festivities, how obtained; wearing of hoods, masks, or disguises or giving of candy or other gifts by sex offenders

A. No person shall use or wear in any public place of any character whatsoever, or in any open place in view thereof, a hood or mask, or anything in the nature of either, or any facial disguise of any kind or description, calculated to conceal or hide the identity of the person or to prevent his being readily recognized.

B. Whoever violates this Section shall be imprisoned for not less than six months nor more than three years.

C. Except as provided in Subsection E of this Section, this Section shall not apply:
(1) To activities of children on Halloween, to persons participating in any public parade or exhibition of an educational, religious, or historical character given by any school, church, or public governing authority, or to persons in any private residence, club, or lodge room.
(2) To persons participating in masquerade balls or entertainments, to persons participating in carnival parades or exhibitions during the period of Mardi Gras festivities, to persons participating in the parades or exhibitions of minstrel troupes, circuses, or other dramatic or amusement shows, or to promiscuous masking on Mardi Gras which are duly authorized by the governing authorities of the municipality in which they are held or by the sheriff of the parish if held outside of an incorporated municipality.
(3) To persons wearing head covering or veils pursuant to religious beliefs or customs.

D. All persons having charge or control of any of the festivities set forth in Paragraph B(2) of this Section, shall, in order to bring the persons participating therein within the exceptions contained in Paragraph B(2), make written application for and shall obtain in advance of the festivities from the mayor of the city, town, or village in which the festivities are to be held, or when the festivities are to be held outside of an incorporated city, town, or village, from the sheriff of the parish, a written permit to conduct the festivities. A general public proclamation by the mayor or sheriff authorizing the festivities shall be equivalent to an application and permit.

E. Every person convicted of or who pleads guilty to a sex offense specified in R.S. 24:932, is prohibited from using or wearing a hood, mask or disguise of any kind with the intent to hide, conceal or disguise his identity on or concerning Halloween, Mardi Gras, Easter, Christmas, or any other recognized holiday for which hoods, masks, or disguises are generally used.

Acts 1999, No. 1043, §1; Acts 2008, No. 400, §1.

MAINE

MARYLAND

MASSACHUSETTS

Massachusetts General Laws, Chapter 268 Section 34. Whoever disguises himself with intent to obstruct the due execution of the law, or to intimidate, hinder or interrupt an officer or other person in the lawful performance of his duty, or in the exercise of his rights under the constitution or laws of the commonwealth, whether such intent is effected or not, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year and may if imprisoned also be bound to good behavior for one year after the expiration of such imprisonment.

MICHIGAN

750.396 Wearing Mask or face covering device.
Sec. 396. A person who intentionally conceals his or her identity by wearing a mask or other device covering his or her face for the purpose of facilitating the commission of a crime is guilty of a misdemeanor

punishable by imprisonment for not more than 93 days or a fine of not more than $500.00, or both.
History: 1931, Act 328, Eff. Sept. 18, 1931 ;-- CL 1948, 750.396 ;-- Am. 2002, Act 672, Eff. Mar. 31, 2003
Former Law: See sections 1 and 2 of Act 276 of 1923, being CL 1929, §§ 16609 and 16610.

MINNESOTA Statutes, Chapter Criminal Code, Section 609.735
609.735 Concealing identity.
A person whose identity is concealed by the person in a public place by means of a robe, mask, or other disguise, unless based on religious beliefs, or incidental to amusement, entertainment, protection from weather, or medical treatment, is guilty of a misdemeanor. (HIST: 1963 c 753 art 1 s 609.735; 1971 c 23 s 73; 1986 c 444;1995 c 30 s 1)

MISSISSIPPI

MISSOURI

MONTANA

NEBRASKA

NEVADA

NEW HAMPSHIRE

NEW JERSEY

NEW MEXICO

NEW YORK Penal Law 240.35 (4):
Being masked or in any manner disguised by unusual or unnatural attire or facial alteration, loiters, remains or congregates in a public place with other persons so masked or disguised, or knowingly permits or aids persons so masked or disguised to congregate in a public place; except that such conduct is not unlawful when it occurs in connection with a masquerade party or like entertainment if, when such entertainment is held in a city which has promulgated regulations in connection with such affairs, permission is first obtained from the police or other appropriate authorities;
(National Lawyers Guild NYC Chapter paper on the anti-mask law)

NORTH CAROLINA

While the following sections were enacted primarily as a result of KKK activities, it has been enforced against people wearing other types of masks, such as dust masks and team mascot masks.

§14-12.7. Wearing of masks, hoods, etc., on public ways.
No person or persons at least 16 years of age shall, while wearing any mask, hood or device whereby the person, face or voice is disguised so as to conceal the identity of the wearer, enter, be or appear upon any lane, walkway, alley, street, road, highway or other public way in this State. (1953, c. 1193, s. 6; 1983, c. 175, ss. 1, 10; c. 720, s. 4.)

§14-12.8. Wearing of masks, hoods, etc., on public property.
No person or persons shall in this State, while wearing any mask, hood or device whereby the person, face or voice is disguised so as to conceal the identity of the wearer, enter, or appear upon or within the public property of any municipality or county of the State, or of the State of North Carolina. (1953, c. 1193, s. 7.)

NORTH DAKOTA

OHIO
3761.12 Prohibition against conspiracy while wearing disguise. *(Effective Date: 10-01-1953)*

No person shall unite with two or more others to commit a misdemeanor while wearing white caps, masks, or other disguise.

OKLAHOMA

OREGON

PENNSYLVANIA

RHODE ISLAND

SOUTH CAROLINA

SOUTH DAKOTA

TENNEESSEE

TEXAS

UTAH

VERMONT

VIRGINIA Section 18.2-422:
Prohibition of wearing of masks in certain places; exceptions.
It shall be unlawful for any person over sixteen years of age while wearing any mask, hood or other device whereby a substantial portion of the face is hidden or covered so as to conceal the identity of the wearer, to be or appear in any public place, or upon any private property in this Commonwealth without first having obtained from the owner or tenant thereof consent to do so in writing. However, the provisions of this section shall not apply to persons (i) wearing traditional holiday costumes; (ii) engaged in professions, trades, employment or other activities and wearing protective masks which are deemed necessary for the physical safety of the wearer or other persons; (iii) engaged in any bona fide theatrical production or masquerade ball; or (iv) wearing a mask, hood or other device for bona fide medical reasons upon the advice of a licensed physician or osteopath and carrying on his person an affidavit from the physician or osteopath specifying the medical necessity for wearing the device and the date on which the wearing of the device will no longer be necessary and providing a brief description of the device. The violation of any provisions of this section shall constitute a Class 6 felony.

WASHINGTON

WEST VIRGINIA 61-6-22.
Wearing masks, hoods or face coverings.
(a) Except as otherwise provided in this section, no person, whether in a motor vehicle or otherwise, while wearing any mask, hood or device whereby any portion of the face is so covered as to conceal the identity of the wearer, may:
(1) Come into or appear upon any walk, alley, street, road, highway or other thoroughfare dedicated to public use;
(2) Come into or appear in any trading area, concourse, waiting room, lobby or foyer open to, used by or frequented by the general public;
(3) Come into or appear upon or within any of the grounds or buildings owned, leased, maintained or operated by the state or any political subdivision thereof;
(4) Ask, request, or demand entrance or admission to the premises,

enclosure, dwelling or place of business of any other person within this state; or
(5) Attend or participate in any meeting upon private property of another unless written permission for such meeting has first been obtained from the owner or occupant thereof.
(b) The provisions of this section do not apply to any person:
(1) Under sixteen years of age;
(2) Wearing a traditional holiday costume;
(3) Engaged in a trade or employment where a mask, hood or device is worn for the purpose of ensuring the physical safety of the wearer;
(4) Using a mask, hood or device in theatrical productions, including use in mardi gras celebrations or similar masquerade balls;
(5) Wearing a mask, hood or device prescribed for civil defense drills, exercises or emergencies; or
(6) Wearing a mask, hood or device for the sole purpose of protection from the elements or while participating in a winter sport.
(c) Any person who violates any provision of this section is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than five hundred dollars or imprisoned in the county jail not more than one year, or both fined and imprisoned

WISCONSIN

WYOMING

Interesting law sites relating to toxic exposures

Fellheimer & Peters, P.C. Law firm representing victims of toxic exposures.

Toxboard Forum

Toxic Tort Resources

Attorney Chat Center

http://www.anapsid.org/cnd/mcs/maskcodes.html

Activism	Disability	Pain	About Melissa Kaplan
Books	Drugs	Pets	Herp Care

Chemical Sensitivity	Finding Support/Doctors /Attorneys	Resources	Green Iguana Care
Coping	Gender	Thyroid	Help Support This Site
Diagnosis	Hormones	CND Home	Advance Care Directives
Differential Dx	Lyme Disease	Anapsid Home	Emergency Preparedness

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